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Date Mailed: March 5, 2007 HW/nlb Our Ref. TSRI 433.1 D1 SCR 2152P

Applicant (s):

Sherman 09/277,064

Application No.:

March 26, 1999

Date Filed:

IN VIVO ACTIVATION OF TUMOR-SPECIFIC

Title of Invention: CYTOTOXIC T CELLS

Enclosed:

- Copy of Utility Patent Application Transmittal dated 3/26/99 (1 page)

- Copy of Patent Application Declaration and Power of Attorney (2 pages) - Copy of Transmittal Letter filed in Application Serial No. 08/860,232 (3 pages)

- Copy of PCT Request filed in PCT/US95/16415 (4 pages)

- Copy of Title Page of published PCT (1 page)

- Certification of Mailing (included on Amendment)



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FACSIMILE COVER SHEET

DATE: March 5, 2007	
FAX NO.: (571) 273 - D830	
TO: Examiner Davis	
FROM: Hugh Wang, Ph.D, ESG OPFICE OF PATENT C	OUNSEL
RE: 433. DIV	<u>.</u>
AMENDMENT	
NUMBER OF PAGES: 17 (Including Cover Page)	
SPECIAL MESSAGES/INSTRUCTIONS:	records.
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		NUMBER EXTRA	RATE	CALCULATIONS
FOR	NUMBER FILED		x \$ 22.00	\$ 880.00
COTAL CLAIMS	60 - 20	40	x \$ 80.00	1,280.00
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- Check No. <u>1828</u> in the amount of \$2,930.00 to cover the above fees is enclosed.
- 4. The Commissioner is hereby authorized to charge any additional fees which may be required in this application or at any time to maintain pendency of this application, or credit any overpayment to Deposit Account No. 19-0962. A duplicate copy of this sheet is enclosed.
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is not required, as the application was filed in the United States Receiving Office (RO/US).

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- 6. An oath or declaration of the inventors (unsigned) (35 U.S.C. 371(c)(4)).
- 7. The above items are being transmitted by 30 months and a proper demand for International Preliminary Examination was made by the 19 month from the earliest claimed priority.
- 8. At the time of transmittal, amendment to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) have not been made and will not be made.

Date: <u>JUNE 13,199</u>7Attorney's Signature Name and Reg. No.

Thomas Fitting, Reg. No. 34,163

Correspondence Address:

THE SCRIPPS RESEARCH INSTITUTE Office of Patent Counsel 10550 North Torrey Pines Road Mail Drop TPC-8 La Jolla, California 92037 (619) 784-2937

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- Check No. <u>1828</u> in the amount of \$2,930.00 to cover the above fees is enclosed.
- 4. The Commissioner is hereby authorized to charge any additional fees which may be required in this application or at any time to maintain pendency of this application, or credit any overpayment to Deposit Account No. 19-0962. A duplicate copy of this sheet is enclosed.
- 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is not required, as the application was filed in the United States Receiving Office (RO/US).

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- 6. An oath or declaration of the inventors (unsigned) (35 U.S.C. 371(c)(4)).
- 7. The above items are being transmitted by 30 months and a proper demand for International Preliminary Examination was made by the 19 month from the earliest claimed priority.
- 8. At the time of transmittal, amendment to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) have not been made and will not be made.

Date: <u>June 13,199</u>7Attorney's Signature Name and Reg. No.

Thomas Fitting, Reg. No. 34,163

Correspondence Address:

THE SCRIPPS RESEARCH INSTITUTE Office of Patent Counsel 10550 North Torrey Pines Road Mail Drop TPC-8 La Jolla, California 92037 (619) 784-2937

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TSRI 433.1 Page 1 of 2

PATENT APPLICATION DECLARATION AND POWER OF ATTORNEY

I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated next to my name in PART A of page 2 hereof.

	is attached hereto	
<u>x</u>	was filed on <u>December 14. 1995</u> , as Application Serial No. 20	T/US95/16415
	and was amended on (if applicable).	•

- I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.
- I acknowledge the duty to disclose information which is material to the examination of is application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).
- I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed in PART B on page 2 hereof and have also identified in PART B on page 2 hereof any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.
- I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed in PART C on page 2 hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

nereby declare that all statements made herein of my knowledge are true and that all atements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following as my attorneys or agents with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Douglas A. Bingham Reg. No. 32,457 Donald G. Lewis Reg. No. 28,636 Thomas Fitting Reg. No. 34,163 Emily Holmes Reg. No. 9-40,652

whose mailing address for this application is:

THE SCRIPPS RESEARCH INSTITUTE 10550 North Torrey Pines Road Mail Drop TPC 8 La Jolla, California 92037

See Page 2 attached, signed, and made a part hereof.

Page 2 of 2

MAR 0 5 2007

PART A: Inventor Informa	tion And Signature	1	
nTDO	m introduce	Linda A. Sherman ss 7766 Hillside Drive is Jolla California	<u> </u>
Full name of SOLE of Firs	Post Office Addres	s 7766 Hillside Drive	<u> </u>
Citizenship US	Post Office Address	La Jolla, California	92037
(IF ALEE-mont)			
Residence (if different)	1	1	
Ciematura:	Mala Mer	Date: <u>Hvq 3</u>	1997
Inventor's Signature.	<i>y</i> .	Date: Aug 5	.
Full name of SECOND Joint Citizenship	Post Office Addre	ess	
Residence (if different)			!
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Full name of THIRD joint	inventor, if any		
Full name of THIRD Joint Citizenship	post Utilce Addres	55	<u> </u>
Residence (if different)	•]
			!
Third Inventor's Signatus	re:	Date:	
Full name of FOURTH joint	inventor, if any post Office Addre	ss	
Residence (if different)			<u> </u>
urth Inventor's Signat	ure:	Date:	
Full name of FIFTH joint Citizenship	inventor, if any_	SS	<u> </u>
·			<u> </u>
Residence (if different)			<u> </u>
		Date:	i
Fifth Inventor's Signatu	re:	Date:	1
PART B: Prior Foreign A	pplication(s)		
Serial No. Country	Day/Month/	Year Filed	Priority Claimed Yes No
PART C: Claim For Benef	it of Filing Date	of Earlier U.S. Applicat	ion(s)
Serial No. Filing D 08/355,558 December	14 1994	us: Patented X Pending Patented Pending	Abandoned Abandoned
See Page 1 to which this	is attached and i	from which this Page 2 co	ntinues.

Certification under 37 CFR 1.10 (if applicable)

EM601456549US	June 13. 1997
"Express Mail" mailing label number	Date of deposit
Dapidoo Para	
enclosed herein are being deposited in an envelope	closed application, and any other documents referred to as a with the United States Postal Service "Express Mail Post the date indicated above and addressed to the Assistant
Lori A. Linderman	ANI U A
(Typed name of person mailing application)	(Signature of person mailing application)
4.4	
	• •
TRANSMITTAL LETTER TO THE UNIT	TED STATES
DESIGNATED/ELECTED OFFICE (DO/	'EO/US)
INTERNATIONAL APPLICATION NO. INTERNATIONAL	FILING DATE PRIORITY DATE (S) CLAIMED
PCT/US95/16415 14 Decem	ber 1995 <u>14 December 1994</u>
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TITLE OF INVENTION	!
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IN VIVO ACTIVATION OF TUMOR-SP	PECIFIC CYTOTOXIC T CELLS
<u> </u>	
APPLICANT(S) FOR DO/EO/US	
	i i
Linda A. Sherman	
Applicants herewith submit to	the United States
Designated/Elected Office (DO/U.S.C. 371:	EO/US) the following items under 35
1 This express remiest to i	mmediately begin national

The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees

examination procedures (35 U.S.C. 371(f)).

are calculated based on the claims as filed.

2.

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UTILITY	Attorney Docket No. TSRI 433.1 Div 1
PATENT APPLICATION	First Inventor or Application Identifier Sherman
TRANSMITTAL	IN VIVO ACTIVATION OF TUMOR SPECIFIC
(Only for new conprovisional applications under 37 C.F.R. § 1.53(b),	
APPLICATION ELEMENTS	Assistant Commissioner for Patents
See MPEP chapter 600 concerning utility patent application content	ADDRESS TO: Box Broad Application
Fee Transmittal Form (e.g., PTC/SB/17) (Submit an original and a dupticate for fee processing)	6. Microfiche Computer Program (Appendix)
2 X Specification (Total Pages 130	7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
(preferred arrangement set form below) - Descriptive title of the invention	a. Computer Reseable Copy
- Cross References to Related Applications	
- Statement Regarding Fed sponsored R & D · '	
- Reference to Microticha Appendix	C. Statement verifying identity of above copies
- Background of the Invention	ACCOMPANYING APPLICATION PARTS
- Brief Summary of the Invention - Brief Description of the Drawings (if filed)	8. Assignment Papers (cover sheet & document(s))
- Detailed Description	9. 37 C.F.R.§3.73(b) Statement Fower of Attorney
- Claim(s) - Abstract of the Disclosure	10. English Translation Document (if applicable)
3. X Drawing(s) (35 U.S.C. 113) [Total Sheets 22	Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations
4. Oath or Declaration [Total Pages	12 X Preliminary Amendment
a. Newly executed (original or copy)	13. X Return Receipt Postcard (MPEP 503)
X Copy from a prior application (37 C.F.R. § (for continuation/divisional with Box 17 complete	Statement filed in prior application.
[Note Bax 5 below] DELETION OF INVENTOR(S)	(PTO/SB/09-12) Status sup proper and desired
Signed statement attached deletin inventor(s) named in the crior applic	- 1 - 1 /// / / / / / / / / / / / / / /
see 37 C.F.R. 48 1.63(d)(2) and 1.3	3(b). 16 X Other Certificate of Express
5. X Incorporation By Reference (usessite if Box 46 is check The entire disclosure of the prior application, from w	Mail Assoc Power of Attorney
copy of the oath or declaration is supplied under Bo	X 4b, is POTE FOR ITEMS 1 A 14: IN ORDER YO BE ENTITLED TO PAY SMALL ENTITY
considered to be part of the disclosure of the accom- application and is hereby incorporated by reference	Y 417703 116 CMC 511 C7110 4 90100 4 905164 TCN 15 661 (CA.) (GAUSTON F. C. C. 4.475)
	and supply the requisite information below and in a preliminary amendment
Continuation X Divisional Continuation-in-	part (CIP) of prior application No: 08 / 860,232
Prior application information: Examiner Y. Evler	Group / Art Unit: 1647
18, CORRESPO	INDENCE ADDRESS
Customer Number or Bar Code Label	or
THOMAS E. NORTHRUP	i
THE SCRIPPS RESEARCH INSTIT	UTE
10550 North Torrey Pines Ro	
Mail Drop: TPC-8	
cny La Jolla Sun	, CA Zp Code 92037
Country US Telephone	(619) 784-2937 Fax (619) 784-9399
Name (Printriper Thomas E. Northrup	Registration No. (Attachey/Agent) 33,268
Signature Brown E. Marke	233,000
1 7 - 211/85 (' 1/80, KM	S Date 3/26/99

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· '	International Application No.
REQUEST	International Filing Date
The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.	Name of receiving Office and "PCT International Application"
actording to the Fateur Cooperation	Applicant's or agent's file reference (if desired) (12 characters maximum) TSRI433.1PC
Box No. 1 TITLE OF INVENTION	
IN VIVO ACTIVATION OF TUMOR-SP	PECIFIC CYTOTOXIC T-CELLS
Boy No. II APPLICANT	
Name and address: (Family name followed by given name: for designation. The address must include poster	or a legal entity, full official al code and name of country.) This person is also inventor.
THE SCRIPPS RESEARCH INSTITUTE	Telephone No.
10666 North Torrey Pines Road	(619) 554–2937
La Jolla, California 92037	Facsimile No.
United States of America	(619) 554-6312
	Teleprinter No.
	State (i.e. country) of residence:
State (i.e. country) of nationality:	110
US all designated all designated all designated	nated States except the United States the States indicated in the States of America only the Supplemental Box
Box No. III FURTHER APPLICANT(5) AND/OR (FU	JRTHER) INVENTOR(S)
Name and address: (Family name followed by given name; designation. The address must include pa	for a legal entity, full official stal code and name of country.) This person is:
SHERMAN, Linda A.	applicant only
7766 Hillside Drive	X applicant and inventor
La Jolla, California 92037	
	inventor only (If this check-box is marked, do not fill in below.)
State (i.e. country) of nationality: US	State (i.e. country) of residence: US
for the purposes of:	ignmed States except the United States the Supplemental Box of America only
Europer applicants and/or (further) inventors are indic	eated on a continuation sheet.
	TIVE; OR ADDRESS FOR CORRESPONDENCE
The person identified below is hereby/has been appointed of the applicant(s) before the competent International Authority	horities as:
Name and address: (Family name followed by given name designation. The address must include p	nosial code and name of country.) (619) 554-2937
April C. Logan The Scripps Research Institute	Fascimile No. 1554-6312
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In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of under the PCT except the designation(s) of The Action of the permitted under the PCT except the designation of the permitted under the PCT except the permitted under the pCT except the permitted under the pCT except th

Sheet No. ...3...

Supplemental Box

If the Supplemental Box is not used, this sheet need not be included in the request.

Use this box in the following cases:

I. If, in any of the Baxes, the space is insufficient to furnish all the information:

in particular:

- (i) if more than two persons are involved as applicants and/or inventors and no "continuation sheet" is available:
- (ii) if. in Box No. II or in any of the sub-boxes of Box No. III, the indication "the States indicated in the Supplemental Box" is checked:
- (iii) if, in Box No. II or in any of the sub-boxes of Box No. III, the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America:
- (iv) if, in addition to the agent(s) indicated in Box No. IV, there are further agents:
- (v) if, in Box No. V, the name of any State (or OAPI) is accompanied by the indication "patent of addition," or "certificate of addition," or if, in Box No. V, the name of the United States of America is accompanied by an indication "Continuation" or "Continuationin-part":
- (vi) if there are more than three earlier applications whose priority is claimed:
- 2. If the applicant claims, in respect of any designated Office, the benefits of provisions of the national law concerning non-prejudicial disclosures or exceptions to lack of novelty:

in such case, write "Continuation of Box No...." [indicate the number of the Box] and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient;

in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III:

in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be) indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, European or OAPI patent) for the purposes of which the named person is applicant:

in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and next to (each) such name, the State(s) (and/or, where applicable, ARIPO, European or OAPI patent) for the purposes of which the named person is inventor;

in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV:

in such case, write "Continuation of Box No. V" and the name of each State involved (or OAPI), and after the name of each such State (or OAPI), the number of the parent title or parent application and the date of grant of the parent title or filing of the parent application;

in such case, write "Continuation of Box No., VI" and indicate for each odditional earlier application the same type of information as required in Box No. VI.

in such case, write "Statement Concerning Non-Prejudicial Disclosures or Exceptions to Lack of Novelty" and furnish that statement below.

Continuation of Box IV

Douglas A. Bingham
Thomas Fitting
Donald G. Lewis
The Scripps Research Institute
10666 North Torrey Pines Road, TPC-8
La Jolla, California 92037
United States of America

Continuation of Box V

U.S. Serial No. 08/355,558, filed 14.12.94

Sequence Listing Declaration

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(a) through (c) and (e), and in accordance with the EPO Rules OJ 12/1992, respectively, are the same.

April C. Logan, Agent

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Mar-05-2007 02:08pm

		Sheet No.	_			, n., [7]
Box No. VI PRIORITY CL			ner priority claims an	indicated	in the Supplemen	tal Box
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Pines Road, La Jolla, CA 92037 (US). (72) Inventor; and (75) Inventor/Applicant (for US only): SHERMAN, [US/US]; 7766 Hillside Drive, La Jolla, CA 920 (74) Agents: LOGAN, April, C. et al.; The Scripp Institute, 10666 North Torrey Pines Road, TPC CA 92037 (US).	s Resc	arch	
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(54) Title: IN VIVO ACTIVATION OF TUMOR-SPECIFIC CYTOTOXIC T CELLS

(57) Abstract

The present invention relates to methods, compositions, and peptides useful in activating CTLs in vivo with specificity for particular antigenic peptides. The invention also discloses the use sectivated CTLs in vivo for the diagnosis and treatment of a variety of disease conditions, and compositions appropriate for these uses. Diagnostic systems, components, and methods are also described herein.

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